

Office of the Inspector General

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Council 220 Union Representative and Manager Observations on the Use and
Management of Official Time at the Social Security Administration

The attached final report presents the results of our survey of Social Security managers and Council 220 union representatives (A-02-97-72002). The objective of this survey was to obtain union representative and manager observations concerning the use and management of "official time" for union activities at the Social Security Administration.

If you choose to offer comments, please provide them within the next 60 days. If you wish to discuss the final report, please call me or have your staff contact Pamela J. Gardiner, Assistant Inspector General for Audit, at (410) 965-9700.

James G. Hulse, Jr.

Attachment

cc:

0 IG/ES

Reading File

Subject File

0A:TNEE/SPATTERSON/mjs:7-2-98

22RPT:Report File

EXECUTIVE SUMMARY

OBJECTIVE

The objective of this review was to obtain union representative's and manager's observations concerning the use and management of "official time" for union activities at the Social Security Administration (SSA).

BACKGROUND

Official time is time during which an employee otherwise would be performing Agency assigned work, but the employee is authorized by law, regulation, or negotiated agreement to spend time representing union and/or bargaining unit employees. The Agency pays the employee while they use official time as if they were conducting Agency business. For most union representatives (UR), who are in field offices (FO) and teleservice centers (TSC), official time falls into two categories — bank and non-bank time. Equivalent categories exist for other SSA components. Bank time is generally used for union-initiated activities. Every year, each union is allocated a set number of bank hours to conduct representational activities. Non-bank time is used for management-initiated activities. There is no limit on non-bank time and union activities under "partnership" are counted as non-bank time.

In October 1996, the General Accounting Office (GAO) released a report on union activities at SSA (HHS-97-3). It found that official time had increased over 60 percent between 1990 and 1995. The cost to SSA for official time in 1995 was \$12.6 million. Additionally, GAO found that 1,800, or over 3 percent of SSA's 52,000 bargaining unit employees, working in the over 1300 FO's, 130 Offices of Hearings and Appeals, TSC's, Program Service Centers, Headquarters etc., were designated as URs who could use official time. Lastly, GAO reported that SSA's tracking system for official time underreported hours in 1995.

Based upon the GAO findings, the Chairman of the Subcommittee on Social Security, House Committee on Ways and Means requested SSA's Office of the Inspector General (OIG) to conduct an in-depth and comprehensive review of taxpayer-financed union activities at SSA. This is one in a series of reports that the OIG plans to produce in response to that request. We performed a nationwide survey to collect UR's and manager's observations about the use and management of official time for union Council 220 of the American Federation of Government Employees (AFGE). Council 220 represents employees in SSA's FOs and TSCs.

For this review, we used two multi-purpose cluster samples representing a nationwide selection of 271 FOs and TSCs. The samples were obtained from SSA's Office of Workforce Analysis (OWA). We mailed the survey questionnaires in early June 1997 to the managers of the selected sites to complete and return to OIG. We also asked the managers to forward a separate UR questionnaire to the UR in their office to complete and return to OIG. On October 2, 1997, we executed a second mailing to provide for any misplaced or discarded questionnaires caused by Council 220's initial reluctance to participate in the survey.

RESULTS OF REVIEW

- URS DID NOT ALWAYS COMPLETE AN OFFICIAL TIME FORM (SSA-75) PRIOR TO USING OFFICIAL TIME
- OFFICIAL TIME REQUESTS WERE RARELY DENIED
- ALMOST HALF OF THE MANAGERS WERE NOT INFORMED IN WRITING ABOUT WHO REPRESENTS THE UNION IN THEIR OFFICE
- A MAJORITY OF THE MANAGERS AND URS DID NOT KNOW HOW MANY BANK HOURS WERE AVAILABLE, THUS CREATING A POTENTIAL FOR EXCEEDING BANK TIME.
- SOME MANAGERS SUSPECTED ABUSE OF OFFICIAL TIME
- MANAGERS WERE MORE LIKELY THAN URS TO REPORT THAT THE OFFICIAL TIME REPORTING SYSTEM WAS NEITHER ACCURATE NOR EFFECTIVE
- MANAGERS HAD NOT RECEIVED ADEQUATE GUIDANCE ON THE USE OF OFFICIAL TIME
- NOT SURPRISINGLY, URS SPENT MORE THAN TWICE AS MUCH OF THEIR TIME AS MANAGERS ON UNION ACTIVITIES

CONCLUSION

The responses to the questionnaires disclosed that managers and URS generally had differing observations concerning the official time system at SSA. Managers found the official time system less accurate and effective than URS. Managers also did not believe they received adequate guidance on the use of official time. Moreover, some managers suspected abuse of official time and the majority of

both managers and URs did not know how many bank hours were available for each UR to use. The responses by managers and URs revealed that there was a lack of understanding by some on how to properly report and use official time.

AGENCY COMMENTS

The full text of the Agency's comments are contained in Appendix D. SSA emphasized that the OIG Council 220 report is a collection of opinions and perceptions based on an unscientific sample. Nevertheless, the Agency saw value in the observations of URs and field office/teleservice managers. SSA noted that decisions by arbitrators and the Federal Labor Relations Authority (FLRA) established case law that sets forth the practices, procedures and limitations governing the use and management of official time. The Agency believed that the limitations established by case law undoubtedly had an effect on the perceptions of office managers.

Responding to specific findings, SSA believed that the report indicated that most managers who suspected abuse initiated action for resolution. Also, the Agency stated that the observations in the report displayed a clear awareness and a comparable level of understanding by both managers and URs about the need and circumstances for completion of the official time form. Finally, SSA stated that AFGE has not exceeded its total allocation of bank hours since the concept was created with the 1990 Agreement.

OIG RESPONSE

A scientific sample provided to the OIG by SSA's OWA was used for this survey. However, we realize that there was a low response rate (52 percent) from URs due to a lack of cooperation on their part. In comparison, 85 percent of the managers responded to our survey.

In making our recommendations, our intent is to ensure compliance with the official time reporting requirements of the current collective bargaining agreements. If SSA is unable to implement our recommendations within the confines of the current agreements and the parameters set by administrative case law, it should address them during negotiations for future collective bargaining agreements. If such negotiations prove unsuccessful, SSA may wish to seek a legislative resolution.

We believe that the perceptions provided by the URs and office managers highlight potential weaknesses with the use and reporting of official time. Twenty percent of the managers reported that they took no action when they suspected abuse of official time. Managers and the URs reported that official time forms were completed after official time use and that the duration of time needed for union

activities was a consideration in whether or not to report official time. The lack of reporting small amounts of official time used and lack of knowledge of how many bank hours were available creates an environment where individual URs could unknowingly exceed their allotted bank time.

The responses to the survey suggest that there are managers and URs who are uncertain about official time procedures and that the procedures are not adhered to in some SSA offices. In the comments to this report, SSA indicated that it is actively providing guidance on the use and management of official time to its managers. It may be appropriate to provide guidance to all individuals involved in the use of official time, including union representatives, to help ensure compliance with all of the policies and procedures contained in the *National Agreement between AFGE and Social Security Administration (Agreement)*.

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INTRODUCTION

OBJECTIVE

The objective of this review was to obtain union representative's and manager's observations concerning the use and management of "official time" for union activities at SSA.

BACKGROUND

Federal employees have had the right to join unions since the early 1900s. In 1912, the Lloyd-LaFollette Act gave postal employees the right to join unions and thereby set a precedent for all other Federal employees. In 1962, President Kennedy's Executive Order (EO) 10988 established a framework for Federal agencies to bargain with unions over working conditions and personnel practices. In 1969, President Nixon's EO 11491 created the Federal Labor Relations Council to proscribe regulations for resolving labor disputes and to arbitrate grievances. In 1978, the Civil Service Reform Act of 1978 (CSRA) provided the current statutory basis for labor/management (LM) relations and created the FLRA. Most recently, in 1993, President Clinton's EO 12871 called for a labor/management "partnership" that would involve unions as full partners with management in identifying and resolving problems.

Official Time

In 1962, EO 10988 set the precedent for allowing Federal agencies to grant official time, which is paid time off at the agency's discretion from normal Government duties to conduct contract negotiations. In 1969, EO 11491 prohibited the use of official time to negotiate such agreements, but in 1978 the CSRA restored the use of official time for contract negotiations.

For most URs, which are in FOs and TSCs, official time falls into two categories — bank and non-bank time. Equivalent categories exist for other SSA components. Bank time is generally used for union-initiated activities. Every year each union council is allocated a set number of bank hours to conduct representational activities. Non-bank time is used for management-initiated activities. There is no limit on non-bank time. Union activities under "partnership" are counted as non-bank time. The CSRA prohibits the use of official time for internal union business, but continued the policy that agencies would provide unions with services and facilities at the agency's expense.

SSA's Unions

SSA employees are represented by three unions: the American Federation of Government Employees (AFGE), the National Treasury Employees Union (NTEU), and the National Federation of Federal Employees (NFFE). Of SSA's 65,000 employees, about 52,000 are non-supervisory and are represented by unions. Of those, 96 percent are represented by AFGE. Approximately 47 percent of all bargaining unit employees pay dues to their respective unions.

There is one contract between SSA and AFGE and six contracts with individual components of NTEU and NFFE. Multiple units within AFGE represent different SSA components. Council 220 represents bargaining unit employees in FOs and at TSCs. Local 1923, which is treated as a council, represents all Headquarters operations. Council 109, represents the workers at six program service centers (PSC); Council 215, represents field operations staff of the Office of Hearings and Appeals (OHA); Council 224 represents the Regional Office of Program Integrity and Reviews; and Council 221 represents the Data Operations Center. The NTEU and NFFE represent employees from various other offices within OHA. Additionally, there are about 100 FOs that are non-union offices. (i.e., there is no UR because none of the employees are union members.)

GAO Report on SSA Unions

In October 1996, GAO released a report on union activities at SSA (HHS-97-3). The report stated that the use of official time at SSA had increased over 60 percent from 254,000 to 413,000 hours per year between 1990 and 1995. The cost to SSA for official time in 1995 was \$12.6 million. Additionally, GAO reported that 1,800, or over 3 percent of SSA's 52,000 bargaining unit employees, working in the over 1300 FO's, 130 OHA's, TSC's, PSC's, Headquarters etc., were designated as URs who could use official time. Moreover, 145 of these employees were designated as full-time URs. The 145 full-time employees for 1995 represented an 80 percent increase over the 80 full-time URs in 1993. Lastly, GAO reported that SSA's tracking system for official time underreported hours in 1995.

OIG Reviews

In addition to our review of employee observations on the use of official time, OIG is conducting reviews of the use of official time for union activities at SSA, and "partnership" activities. The following additional reports will be issued concerning these reviews:

- Use of Official Time for Union Activities at the Social Security Administration (A-13-97-72013)

- Non-Council 220 Union Representative and Manager Observations on the Use and Management of Official Time at the Social Security Administration (A-02-98-02002)
- Partnership Activities at the Social Security Administration (A-13-98-72023)

SCOPE AND METHODOLOGY

For this review, we used two 10 percent multi-purpose cluster samples identifying a nationwide selection of FO and TSC sites, represented by union Council 220. We obtained a combined sample of 271 sites from SSA's OWA. In June 1997, we mailed the survey (Appendix B) to the managers of the selected sites for the first time. We asked the managers to complete and return the survey questionnaires and to forward a separate questionnaire (Appendix A) to the UR in their office. If there was more than one UR, we asked the senior UR to complete and return the survey.

When we first mailed the questionnaires in June 1997, Council 220 members were advised by union leaders not to complete the survey. After several meetings and correspondence with SSA and Union officials, then Acting Commissioner John J. Callahan instructed Agency officials to cooperate with our review. The union changed its position in late September when all Council 220 members were advised to cooperate and complete the survey, but to ignore four specific survey questions deemed to be of an improper nature (questions 2, 3, 5 and 31). In anticipation of misplaced or discarded questionnaires, we performed a second mailing in October 1997. Additionally, we made follow-up phone calls to non-respondents from June through November 1997.

The results of our review are based on the receipt of 231 manager questionnaires (an 85 percent response rate) and 125 UR questionnaires (a 52 percent response rate). Thirty-one offices could not participate due to the fact that the office was a non-union office, the office had no UR, or the UR was just recently elected and, therefore, could not provide experienced responses. Therefore, we reduced the 271 sites by 31 in computing the UR response rate. Two URs refused to complete the questionnaire. Considering these explanations, we accounted for 96 percent and 58 percent, respectively, of the manager and UR questionnaires sent.

The UR response rate was not as high as we had hoped. Even so, we believe that it is important to report the responses of those who chose to cooperate with our survey. It is not our intention to indicate that those responses reflect the perceptions or opinions of the entire population of URs.

Nine ty-nine percent of the responding URs and 86 percent of the responding managers reported that they worked at the same site as each other. On average, the respondents to the manager questionnaires had been managers/supervisors for 14 years, and the respondents to the UR questionnaires had been URs for over 6 years. Although this was one of the four questions URs were advised not to answer, 70 percent chose to respond.

We designed the questionnaires so that both the managers and the URs were asked basically the same questions. We placed primary emphasis on the use of official time in their offices. One question concerning suspected abuse of official time was posed to only the managers. The percentages shown in the report are based on the number of respondents answering each question.

The information contained in this report is based on the perceptions of the managers and URs who completed and returned questionnaires. We did not collect supporting evidence to verify any information given in the responses since the objective of this review was simply to obtain their observations. Also, our corresponding report, "Use of Official Time for Union Activities at the Social Security Administration," provides documentation to support many of the observations cited in this report.

We conducted our review from April to December 1997. This evaluation was performed in accordance with the ***Quality Standards for Inspections*** issued by the President's Council on Integrity and Efficiency.

RESULTS OF REVIEW

The managers and URs responding to the survey generally had differing observations concerning the use and reporting of official time. Managers reported that the present system does not accurately capture the amount of time actually spent on official time. They noted that official time form requests were not always completed prior to using official time and that some managers suspected abuse of official time usage. The managers also believed they could not effectively supervise the use of official time since they do not monitor the URs' activity once official time is approved.

In contrast, URs reported they were satisfied with the official time reporting system. URs believed the time reporting system to be accurate and effective. They reported that official time requests were not always completed, and the URs cited the nature and duration of the union activity as contributing factors. However, both managers and URs agreed that official time requests were rarely denied.

URS DID NOT ALWAYS COMPLETE AN OFFICIAL TIME FORM (SSA-75) PRIOR TO USING OFFICIAL TIME

Article 30 of the *Agreement* sets forth the policy for the use of official time.¹ Specifically, section G states that "Unless otherwise arranged, union representatives for field offices will be required to request and arrange with appropriate management officials in advance for their usage of official time by using Form SSA-75." A majority of the managers and URs reported that Forms SSA-75 (Appendix C) were completed before using the official time. However, a number responded that Forms SSA-75 were completed after the use of official time. (See Table 1.)

Table 1
Timing of Form SSA-75 Completion

	Managers	Union Representatives
Before Using Official Time	55%	55%
After Using Official Time	15	18
About Equal	16	24
Other	10	3

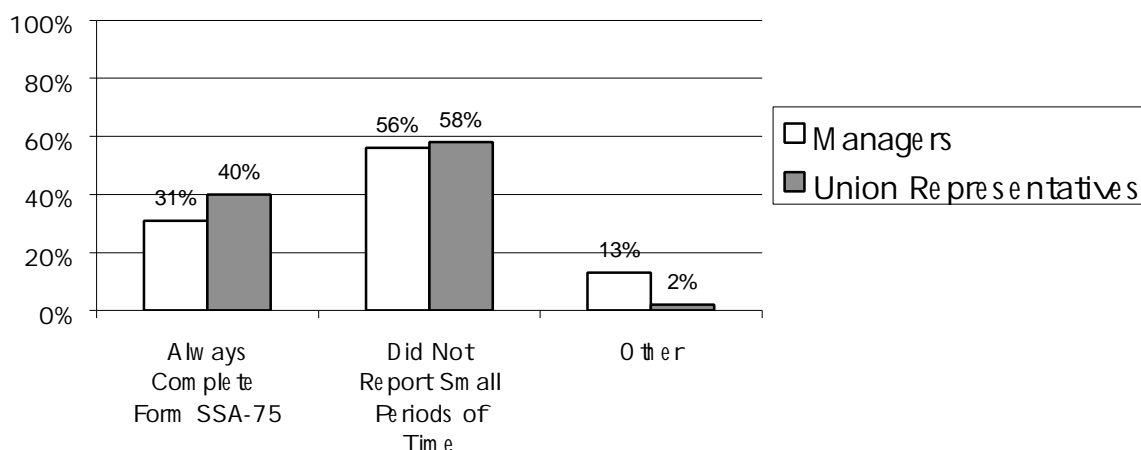
¹ See Article 30, Appendix F, section G of the *Agreement*.

Did Not Know	4	0
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Most of the managers and URs reported that Form s SSA-75 were not always completed for a union activity because small periods of time (e.g. 15 minutes or less) were not reported. (See Graph 1.)

Graph 1

Frequency of Form SSA-75 Completion



Typically, the time needed for the union activity was taken into consideration when deciding what to report as official time. A majority of managers and URs reported that the duration of the activity was either one factor in deciding to report official time or was the only factor for that decision. One-third of both the managers and URs stated that only the nature of the activity was the determining factor in reporting official time. (See Table 2.)

Table 2
Factors Determining When Official Time is Reported

	Managers	Union Representatives
Both the Nature and Duration of Activity	44%	49 %
Nature of Activity	35	35
Duration of Activity	7	3
Other	12	13
Did Not Know	2	0

OFFICIAL TIME REQUESTS WERE RARELY DENIED

The majority of managers and URs reported that official time was rarely denied or never denied. Only 18 percent of the managers reported denying official time more than once a year. (See Table 3.) The most common reason furnished for an official time request denial was an exigency of business.

Table 3
Frequency of Denial for Official Time Requests

	Managers	Union Representatives
More Than Once a Week	2%	0%
About Once a Week	2	0
A Couple of Times a Month	2	12
A Couple of Times a Year	12	16
Rarely (Less Than Once a Year)	47	36
Only Once	8	8
Never	16	16
Other	11	12

ALMOST HALF OF THE MANAGERS WERE NOT INFORMED IN WRITING ABOUT WHO REPRESENTS THE UNION IN THEIR OFFICE

Article 30, section 2C, of the *Agreements* states, "The parties agree that for Appendix F, SSA will only grant official time to those officials designated in writing by the National Council."

Article 30, Appendix F, section E indicates the Local President is responsible for designating the local and assistant URs for each FO within their geographic boundaries. Slightly more than half of the managers and URs reported that agency managers were notified in writing about the designation of the UR for their office. A large percentage also reported the UR notified the manager, but not in writing. (See Table 4.)

Table 4
Manager Notification of the Union Representative

	Managers	Union Representatives
Manager Informed in Writing	51%	55%
UR Informed the Manager	42	50
Someone Other Than UR Informed the Manager	31	18
Other	9	12

(Managers and URs could give multiple answers to this question so the total responses are greater than 100 percent.)

A MAJORITY OF THE MANAGERS AND URS DID NOT KNOW HOW MANY BANK HOURS WERE AVAILABLE, THIS CREATING A POTENTIAL FOR EXCEEDING BANK TIME

Article 30, Appendix F, section F of the *Agreement* discusses the concept of “bank time” and the purposes for which it can be used. The amount of hours available for local representatives is addressed in subsection 3b which states,

“With respect to bank time (Section F.1.), local representatives /assistant local representatives may, upon written authorization from the Council, use up to the following limits from their allocation: Offices with under 70 employees--up to 4 hours per week. Offices with 70 or more employees--up to 10 hours per week.”

The majority of managers (58 percent) and URs (55 percent) reported they did not know how many bank hours the UR is allocated annually. Moreover, 56 percent of the managers and 43 percent of the URs did not know how bank hours were distributed. Consequently, managers were authorizing and URs were using bank time without knowing how many hours were available.

Even though a majority of managers did not know how many bank hours their URs were allotted, most did not question the allocation of official time between bank and non-bank categories. One quarter of the managers reported questioning the allocation of official time between bank and non-bank and their sub-categories. Thirteen percent of URs responded that the allocation of official time between categories had been questioned.

SOME MANAGERS SUSPECTED ABUSE OF OFFICIAL TIME

We asked the managers, but not the URs, about suspected abuse of official time. One quarter of the managers suspected abuse of official time. Section 3 of Article 30 addresses the issue of allegations of abuse of official time. It states,

“Alleged abuses of official time shall be brought to the attention of an appropriate management official on a timely basis by supervisors and management officials. The management official will then discuss the matter with the local or council president as appropriate.”

Over half of the managers who suspected abuse of official time either spoke with the UR who was suspected of abuse (15 percent) or discussed it with or reported it to superiors (41 percent). Twenty percent of managers reported they did nothing. The other 24 percent of managers reported various other responses, such as they did not know how to pursue suspected abuse or there was no way to substantiate the abuse. Some of the managers stated that they reported suspected abuse, but believed that no one was interested or they were subsequently told to approve the request. One manager said he took no action because, “. . . we were instructed not to do anything.”

MANAGERS WERE MORE LIKELY THAN URS TO REPORT THAT THE OFFICIAL TIME REPORTING SYSTEM WAS NEITHER ACCURATE NOR EFFECTIVE

System Accuracy

The managers and URs had differing opinions on the accuracy of the system for reporting official time. A higher percentage of managers than URs reported the system as inaccurate. Conversely most of the URs reported the system to be somewhat or very accurate. (See Table 5.)

Table 5
Accuracy of the System for Reporting Official Time

	Managers	Union Representatives
Very Inaccurate	26%	15%
Somewhat Inaccurate	21	8
Somewhat Accurate	33	27
Very Accurate	14	45
Other	3	4
Did Not Know	3	1

When asked to elaborate on their responses, 96 managers (out of 187 who responded to this question) and 17 URs (out of 89) had disapproving comments on the accuracy of the system. Some managers said the reporting system is honor based and since managers did not know any specifics of what the requested/reported time is being spent on, they could not know with any certainty if the reported time is correct. Similarly, they also said the union determines whether time is reported as "bank" or "non-bank" and that managers are discouraged from questioning the determination.

Some managers reported particular concerns over phone calls. When a UR is on the phone, the managers do not know whether the UR is engaged in union or Agency business. Other managers said they did not fully understand what should be reported and believe that management and union officials do not interpret reporting instructions the same way. Some URs said that non-bank time is not reported regularly and reporting accuracy is suspect because time of less than 15 minutes is not reported.

Many of the URs (52 out of 89) had favorable comments on the accuracy of the system. When asked to qualify why they found the system accurate, some of the URs said the SSA-75 is well designed to capture the various categories of official time. The majority stated it was accurate since they track and report all official time. One UR stated, "I know how important official time is and would never want to be accused of abusing it."

Fifty-eight (out of 187) of the managers commented favorably on the system's accuracy covering two general categories. Managers of small offices were aware of what the URs were doing and/or the UR was conscientious and forthcoming, which established a good working relationship between the two.

Even though many of the managers found the reporting system to be inaccurate, they did not have solutions to change it. When asked what changes they would make in the system for reporting official time, 60 percent of managers responded that they would make no changes and 8 percent did not know. Five percent of managers thought there should be clearer guidelines on requesting and using official time and another 5 percent said reasons for the time requested should be shown on the SSA-75. Five percent suggested some type of automated system.

Seventeen percent of managers provided various other suggestions. Two managers suggested the need for training. One manager thought the entire system needed to be overhauled. Another recommended that union-related telephone calls should go through management so the individual could be released from SSA duty. Other managers thought there should be a consolidation of tracking time rather than bank time and non-bank time. Others did not care for the design of the Form SSA-75, which one manager said does not provide for

many union activities such as “partnership.” Another did not care for the category of mid-term bargaining on the form, where it was suggested a significant amount of time is charged without any clear definition of what the category represents.

System Effectiveness

Managers and URs also disagreed on the effectiveness of the system for supervising official time. Fifty-six percent of managers reported the system of supervision to be somewhat or very ineffective. Conversely, the majority of URs responded that the system was very effective. (See Table 6.)

Table 6
Effectiveness of the System for Supervising Official Time

	Managers	Union Representatives
Very Ineffective	31%	8%
Somewhat Ineffective	25	2
Somewhat Effective	25	24
Very Effective	11	60
Other	4	6
Did Not Know	4	0

Many managers (103 out of 173 who responded to the question) and a few URs (7 out of 76) had disapproving comments when asked why they perceived the effectiveness of the system as they did. Generally, the managers did not think the information provided on a completed SSA-75 was sufficient to effectively supervise the official time requested/reported. Some managers said there are no controls and they have no authority or means to monitor the use of official time. Others stated that the system relies on the integrity of the employee with no penalties for misuse. One manager said that this UR is the only employee he supervises who can determine his own hours of work.

Favorable responses were furnished by 58 URs (out of 76) and 39 managers (out of 173) when asked to elaborate on their responses concerning the effectiveness of the system for supervising official time. URs reported that the system seems to be running effectively. They cited a trusting relationship as promoting effectiveness and that they reported all use of official time. Most of the approving responses from managers and some from URs were from offices that are small or use very little official time. Also, good relationships with URs elicited favorable comments from the managers.

We also asked the participants of the survey what changes they would make to the system for supervising official time to make it more effective. Five percent of managers said there should be an emphasis on accountability and 6 percent

though there should be more detail on the Form SSA-75. Five percent said they need real authority and would like justification and/or documentation supporting the need for or use of official time. Twenty-one percent of the managers provided numerous other responses. These managers did not think the guidelines were clear and indicated training may help. Others suggested all union time should be captured whether official time or not. Two managers suggested that the URs should relocate from their work station when on official time so that time spent on union activities would become more apparent. One said that managers do not supervise official time; they only sign the official time request.

Fifty-eight percent of managers said they would make no changes for supervising official time even though they reported unfavorably on the system. Eighty-six percent of URs responded similarly. Five percent of the managers and 9 percent of URs reported they did not know what changes to make. Five percent of URs reported other responses e.g., to have an automated system similar to the time and attendance system.

MANAGERS HAD NOT RECEIVED ADEQUATE GUIDANCE ON THE USE OF OFFICIAL TIME

Over half the managers reported they had not received any training on the use of official time. Forty-eight percent said they had training, but of these, many reported having received the training a long time ago. Most of the managers who were trained, however, reported the training to be accurate (88 percent), timely (76 percent), and helpful (83 percent). A few managers did report the training was deficient in quality and quantity.

The lack of adequate guidance may explain why managers and URs disagree on who can use official time. Most managers (87 percent) and URs (84 percent) reported that someone who is not a UR could not successfully submit a Form SSA-75. Managers and URs who believed otherwise said a request for official time could be submitted: for an employee preparing for a grievance; for an employee designated by a UR; or, if notification is given by the union that an individual has been given bank time. One manager said he believed a higher level union official in the region can assign official time to any bargaining unit employee.

Almost all of the managers (95 percent) reported they had an office they can turn to for assistance on the use of official time for union-related activities. Most of the managers have found the office to be useful. Ninety-four percent found it accurate, 91 percent found it timely, and 90 percent found it helpful.

NOT SURPRISINGLY, URS SPENT MORE THAN TWICE AS MUCH OF THEIR TIME AS MANAGERS ON UNION ACTIVITIES

On average, managers reported spending 6.3 percent of their time on union activities. URs reported spending considerably more time. They averaged almost 15 percent of their time on union activities. Table 7 on the next page provides the various levels of time spent on union activity for both managers and URs.

Table 7
Time Spent on Union Activity

	Managers	Union Representatives
1 percent	30%	33%
2 percent	15	11
3 percent	2	6
4 percent	0	3
5 percent	29	10
6-10 percent	14	12
11-20 percent	6	6
21-99 percent	4	15
100 percent	0	4

Managers and URs reported that the time spent on union activities was spent doing a few different tasks. The majority of both managers and URs reported consultation with each other on operations as the most common union activity. In fact, 39 percent of the managers and 43 percent of the URs reported frequent involvement (defined as almost daily) in the manager's decision making process. A large percentage of the managers (45 percent) and URs (40 percent) reported the involvement as 1 or 2 times per month. The remaining managers (16 percent) and URs (17 percent) reported rare or no involvement.

The second most cited union activity was time spent on grievances or potential grievances. Other union activities reported were completion of Forms SSA-75 and YY 404 reports by managers and union administrative matters reported by URs. The YY 404 report is an automated system for reporting and collecting official time requested on Form SSA-75.

CONCLUSION

The responses to the questionnaires disclosed that managers and URs generally had differing observations concerning the official time system at SSA. Managers found the official time system less accurate and effective than did URs. The managers believed that they had not received adequate guidance on the use of official time. Some managers reported a suspicion of abuse by some URs in their use of official time. The majority of both managers and URs did not know how many bank hours were available for each UR to use. The responses by managers and URs revealed that there was a lack of understanding by some on how to properly report and use official time.

AGENCY COMMENTS

The full text of the Agency's comments are contained in Appendix D. SSA emphasized that the OIG Council 220 report is a collection of opinions and perceptions based on an unscientific sample. Nevertheless, the Agency saw value in the observations of URs and field office/teleservice managers. SSA noted that decisions by arbitrators and the FLRA established case law that sets forth the practices, procedures and limitations governing the use and management of official time. The Agency believed that the limitations established by case law undoubtedly had an effect on the perceptions of office managers.

Responding to specific findings, SSA believed that the report indicated that most managers who suspected abuse initiated action for resolution. Also, the Agency stated that the observations in the report displayed a clear awareness and a comparable level of understanding by both managers and URs about the need and circumstances for completion of the official time form. Finally, SSA stated that AFGE has not exceeded its total allocation of bank hours since the concept was created with the 1990 Agreement.

OIG RESPONSE

A scientific sample provided to the OIG by SSA's OWA was used for this survey. However, we realize that there was a low response rate (52 percent) from URs due to a lack of cooperation on their part. In comparison, 85 percent of the managers responded to our survey.

In making our recommendations, our intent is to ensure compliance with the official time reporting requirements of the current collective bargaining agreements. If SSA is unable to implement our recommendations within the confines of the current agreements and the parameters set by administrative case law, it should address them during negotiations for future collective bargaining agreements. If such negotiations prove unsuccessful, SSA may wish to seek a legislative resolution.

We believe that the perceptions provided by the URs and office managers highlight potential weaknesses with the use and reporting of official time. Twenty percent of the managers reported that they took no action when they suspected abuse of official time. Managers and the URs reported that official time forms were completed after official time use and that the duration of time needed for union activities was a consideration in whether or not to report official time. The lack of reporting small amounts of official time used and lack of knowledge of how many bank hours were available creates an environment where individual URs could unknowingly exceed their allotted bank time.

The responses to the survey suggest that there are managers and URs who are uncertain about official time procedures and that the procedures are not adhered to in some SSA offices. In the comments to this report, SSA indicated that it is actively providing guidance on the use and management of official time to its managers. It may be appropriate to provide guidance to all individuals involved in the use of official time, including URs, to ensure compliance with all of the policies and procedures contained in the *Agreement*.

A P P E N D I C E S

UNION REPRESENTATIVE QUESTIONNAIRE

OFFICE OF THE INSPECTOR GENERAL



UNION ACTIVITIES AT THE
SOCIAL SECURITY ADMINISTRATION
CIN-02-97-72002

Union Representative Questionnaire

INSTRUCTIONS

You are one of over 500 union representatives at SSA randomly selected to participate in our survey. This questionnaire asks questions about the use of official time for union activities. Your supervisor was also selected for the survey.

Please answer the questions on the following pages. It should take about 10 minutes to finish this questionnaire. Most questions have directions printed in **CAPITAL DARK LETTERS**. Please be sure to read and follow these directions. The answers you give should be based on **your own** practices and opinions, and should refer to **your** experience within Social Security.

If you have any questions about this survey, please call Tim Nee at 212-264-5295 or toll-free at 1-800-772-8246. He will be happy to help you.

Please return the completed questionnaire in the postage-paid envelope. The envelope has the appropriate address on it. If you misplace the postage-paid envelope, please mail the questionnaire in an envelope addressed to:

SSA/OIG/OA
Room 39-118
26 Federal Plaza
New York, NY 10278

Attention: Tim Nee

PLEASE FILL IN THE FOLLOWING INFORMATION:

NAME _____ DATE ____/____/____

PHONE NUMBER _____

OFFICE _____

OFFICE CODE _____

SSA Component: **(CIRCLE ONE)**

F0 TSC

1. What is your job title? _____

2. How long have you been a union representative?

_____ years

3a. Do you hold any executive officer position in your union?

_____ no

_____ yes; 3b. What is your title: _____

4. About what percent of your time is spent on union activities per year?

_____ percent

5. What are typical union activities for you and what portion of your official time do you spend on each?

(Ö AS MANY AS APPLY)

Typical Activities
(must equal 100%)

Percent of Official Time

a. ☐ consulting with management on operations _____

b. ☐ grievances / potential grievances _____

c. ☐ union administrative matters _____

d. ☐ other; specify _____

e. ☐ other; specify _____

TOTAL 100%

6. How often do you complete the form (SSA-75) to report/request your use of official time?

(Ö ONLY ONE)

☐ each union activity

- ☐ each day
- ☐ each pay period
- ☐ other; specify _____

7. Do you **usually** complete this form before or after you use official time?

(Ö ONLY ONE)

- ☐ before
- ☐ after
- ☐ about equal

8. How do you determine when official time must be reported?

(Ö ONLY ONE)

- ☐ nature of activity
- ☐ duration of activity
- ☐ both the nature and duration of activity
- ☐ other; specify _____

9. Do you always complete the form to report/request the use of official time or skip it for small periods of time (e.g. less than 15 minutes)? **(Ö ONLY ONE)**

- ☐ always
- ☐ skip small periods of time

10. What do you do with the completed form reporting/requesting your use of official time?

(Ö AS MANY AS APPLY)

- a. ☐ keep copy
- b. ☐ send copy to the union
- c. ☐ give copy to my office manager
- d. ☐ other; specify _____

11. When does your supervisor/manager usually return the official time form to you?

(Ö ONLY ONE)

- ☐ within one day
- ☐ within one week
- ☐ within one pay period
- ☐ with the YY report
- ☐ other; specify _____

12. How does your manager know that you are a union representative?

(Ö AS MANY AS APPLY)

- a. ☐ I told him/her
- b. ☐ someone else told him/her; Who? **(TITLE)** _____
- c. ☐ he/she was notified in writing; By whom? **(TITLE)** _____
- d. ☐ other; specify _____
- e. ☐ don't know

13a. Could someone who is not a union representative successfully submit a form reporting/requesting the use of official time?

- ☐ no

☐ yes; 13b. How could this happen?

14. Do you know how bank hours are allocated?

☐ no

☐ yes

15a. Do you know how many bank hours you get per year?

☐ no

☐ yes; 15b. Do you know how many you have left for this year?

☐ no

☐ yes

16. Who determines if official time is appropriately allocated between bank and non-bank and their sub-categories?

☐ manager/supervisor

☐ union representative

17a. Has your supervisor ever questioned the allocation of official time between bank and non-bank and their sub-categories?

☐ no

☐ yes, 17b. What happened?

18a. Have you ever had a request for official time denied?

☐ no

☐ yes; 18b. Why?

18.c. How often does this happen?

(Ö ONLY ONE)

- ☐ more than once a week
- ☐ about once a week
- ☐ a couple of times a month
- ☐ a couple of times a year
- ☐ rarely (less than once a year)
- ☐ other; specify_____

19 a. Do you sign in and out each day?

- ☐ no; 19 b. Why not?
- ☐ yes

20 a. Is this similar to the procedures used by your coworkers?

- ☐ no; 20 b. Why not?
- ☐ yes

21. What do you usually do about signing in and out if you are off-site?

(Ö AS MANY AS APPLY)

- a. ☐ I call in to my manager
- b. ☐ I call in to my manager or any supervisor
- c. ☐ I call in to anyone
- d. ☐ I give my manager advance notice
- e. ☐ other; specify_____

22. How often are you off-site?

(Ö ONLY ONE)

- ☐ more than once a week
- ☐ about once a week
- ☐ a couple of times a month
- ☐ rarely (less than once a month)
- ☐ other; specify _____

23. Do you work at the same site as your manager?

- ☐ no
- ☐ yes

24. Would you say your supervisor's policy on **reporting** official time is formal or informal?

(Ö ONLY ONE)

- ☐ very formal
- ☐ somewhat formal
- ☐ somewhat informal
- ☐ very informal

25a. How accurate is the system for **reporting** the use of official time?

(Ö ONLY ONE)

- ☐ very inaccurate
- ☐ somewhat inaccurate

☐ somewhat accurate

☐ very accurate

25b. Why do you say that?

26a. How effective is the system for **supervising** the use of official time?

(Ö ONLY ONE)

☐ very ineffective

☐ somewhat ineffective

☐ somewhat effective

☐ very effective

26b. Why do you say that?

27. What changes would you make in the systems for:

a. allocating bank hours? ☐ none

b. reporting official time? ☐ none

c. supervising official time? ☐ none

28a. Do you ever see copies of the YY reports?

☐ no

☐ yes; 28b. How do you use these reports?

29. What administrative support does SSA provide you with for union activities and how much does it cost annually?

(WRITE "0" FOR NONE & USE "DK" IF YOU DON'T KNOW)

a. ☐ Travel-- \$_____

b. ☐ Space-- \$_____

c. ☐ Phones-- \$_____

d. ☐ Supplies-- \$_____

30a. Have you ever had an administrative support cost denied?

☐ no

☐ yes; 30b. What happened?

31. What administrative support does the union pay for and how much does it cost?

32. Are you personally involved in any partnership councils at SSA?

☐ no **(IF NO, SKIP TO QUESTION 34)**

☐ yes

33a. Has partnership increased your use of official time?

☐ no

☐ yes; 33b. Will it continue to rise?

☐ no

☐ yes

34. How often does your manager involve you in his/her decision making process?

(Ö ONLY ONE)

☐ frequently (almost daily)

☐ sometimes (1 or 2 times a month)

☐ rarely (1 or 2 times a year)

☐ never

35. Is there anything else you would like to share with us about reporting and supervising official time at SSA?

MANAGER QUESTIONNAIRE

OFFICE OF THE INSPECTOR GENERAL



UNION ACTIVITIES AT THE
SOCIAL SECURITY ADMINISTRATION
CIN-02-97-72002

Manager Questionnaire

INSTRUCTIONS

You are one of over 500 employees at SSA selected to participate in our survey. This questionnaire asks questions about the use of official time for union activities.

Please answer the questions on the following pages. It should take about 10 minutes to finish this questionnaire. Most questions have directions printed in **CAPITAL DARK LETTERS**. Please be sure to read and follow these directions. The answers you give should be based on **your own** practices and opinions, and should refer to **your** experience within Social Security.

If you have any questions about this survey, please call John Molnar at 212-264-5295 or toll-free at 1-800-772-8246. He will be happy to help you.

Please return the completed questionnaire in the postage-paid envelope. The envelope has the appropriate address on it. If you misplace the postage-paid envelope, please mail the questionnaire in an envelope addressed to:

SSA/OIG/OA
Room 39-118
26 Federal Plaza
New York, NY 10278

Attention: John Molnar

PLEASE FILL IN THE FOLLOWING INFORMATION:

NAME_____ DATE___/___/___

PHONE NUMBER_____

OFFICE NAME_____

OFFICE CODE_____

SSA Component: (circle one)
F0 TSC

1. How long have you been a manager/supervisor?

_____ years

2. What are the primary **administrative** concerns you address each day as a manager/supervisor?

3. About what percent of your time is spent on union activities?

_____ percent

4. What are typical union activities for you and what percent of your union time do you spend on each?

(Ö AS MANY AS APPLY)

Typical Activities
(must equal 100%)

Percent of Union Time

a. ☐ consulting with union on operations _____

b. ☐ grievances and potential grievances _____

c. ☐ completing 75s and YY 404 report _____

d. ☐ other; specify _____

e. ☐ other; specify _____

TOTAL 100%

5a. Could you document the amount of time you spent on union activities?

_____no

_____yes; 5b. What type of documentation do you have?

6. How could management time related to union activities be tracked?

7. What are typical union activities for your union representative and what proportion of their official time do they spend on each?

(Ö AS MANY AS APPLY)

Typical Activities (must equal 100 %)	Percent of Official Time
a. <input type="checkbox"/> consulting with management on operations	_____
b. <input type="checkbox"/> grievances / potential grievances	_____
c. <input type="checkbox"/> union administrative matters	_____
d. <input type="checkbox"/> other; specify _____	_____
e. <input type="checkbox"/> other; specify _____	_____

TOTAL 100%

8. How often does your union representative complete the form (SSA-75) to request/report the use of official time?

(Ö ONLY ONE)

- ☐ each activity
- ☐ each day
- ☐ each pay period
- ☐ other; specify _____

9. Does your union representative **usually** complete this form before or after they use official time?

(Ö ONLY ONE)

- ☐ before
- ☐ after

☐ about equal

10. What factor primarily determines when official time must be reported?

(Ö ONLY ONE)

☐ nature of activity

☐ duration of activity

☐ both the nature and duration of activity

☐ other; specify _____

11. Does your union representative always complete the form to request/report the use of official time or skip it for small periods of time (e.g. 15 minutes)?

(Ö ONLY ONE)

☐ always

☐ skip small periods of time

12. What do you do with the completed form requesting/reporting the use of official time?

(Ö AS MANY AS APPLY)

a. ☐ keep copy

b. ☐ send copy to my supervisor

c. ☐ send copy to my LMR office

d. ☐ give copy to union representative

e. ☐ other; specify _____

13. How long do you keep your copy of the form?

14. When do you usually return the approved official time form to your union representative?

(Ö ONLY ONE)

☐ within one day

☐ within one week

☐ within one pay period

☐ with the YY report

☐ other; specify _____

15. How do you know that your union representative is a union representative?

(Ö AS MANY AS APPLY)

a. ☐ he/she told me

b. ☐ someone else told me; Who?(TITLE) _____

c. ☐ I was notified in writing; By whom?(TITLE) _____

d. ☐ other; specify _____

16a. Could someone who is not a union representative successfully submit a form requesting/reporting the use of official time?

☐ no

☐ yes; 16b. How could this happen?

17. Do you know how bank hours are distributed?

☐ no

☐ yes

18a. Do you know how many bank hours your union representative gets per year?

☐ no

☐ yes; 18b. Do you know how many they have left for this year?

☐ no

☐ yes

19. Who determines if official time is appropriately allocated between bank and non-bank and their sub-categories?

☐ manager/supervisor

☐ union representative

20a. Have you ever questioned the allocation of official time between bank and non-bank and their sub-categories?

☐ no

☐ yes; 20b. What happened?

21a. Have you ever denied a request for official time?

☐ no

☐ yes; 21b. Why?

21c. How often does this happen?

(ONLY ONE)

☐ more than once a week

☐ about once a week

- ☐ a couple of times a month
- ☐ a couple of times a year
- ☐ rarely (less than once a year)
- ☐ other; specify _____

22. Does your union representative sign in and out each day?

- ☐ no
- ☐ yes

23a. Is this similar to the procedures used by your other staff?

- ☐ no; 23b. Why not?
- ☐ yes

24. With regard to signing in and out, what does your union representative **usually** do if he/she is off-site?

(Ö AS MANY AS APPLY)

- a. ☐ they call in to me
- b. ☐ they call in to me or any supervisor
- c. ☐ they call in to anyone
- d. ☐ they give me advance notice
- e. ☐ other; specify _____

25. How often are they off-site?

(Ö ONLY ONE)

- ☐ more than once a week
- ☐ about once a week
- ☐ a couple of times a month
- ☐ rarely (less than once a month)
- ☐ other; specify _____

26. Do you work at the same site as your union representative?

- ☐ no
- ☐ yes

27. Would you say your supervisor's policy on **reporting** the use of official time is formal or informal?

(Ö ONLY ONE)

- ☐ very formal
- ☐ somewhat formal
- ☐ somewhat informal
- ☐ very informal

28a. Have you ever suspected abuse of official time?

- ☐ no; 28b. What would you do if you did?
- ☐ yes; 28c. What did you do?

29a. How accurate is the system for **reporting** the use of official time?

(Ö ONLY ONE)

- ☐ very inaccurate
- ☐ somewhat inaccurate
- ☐ somewhat accurate
- ☐ very accurate

29 b. Why do you say that?

30a. How effective is the system for **supervising** the use of official time?

(Ö ONLY ONE)

- ☐ very ineffective
- ☐ somewhat ineffective
- ☐ somewhat effective
- ☐ very effective

30b. Why do you say that?

31. What changes would you make in the systems for:

- a. allocating bank hours? ☐ none
- b. reporting official time? ☐ none
- c. supervising official time? ☐ none

32a. Do you ever see copies of the YY reports?

☐ no

☐ yes; 32b. How do you use these reports?

33. What administrative support does SSA provide your union representative for union activities and how much does it cost annually?

(Ö AS MANY AS APPLY)

(WRITE "0" FOR NONE, OR "DK" IF YOU DON'T KNOW)

a. ☐ Travel -- \$_____

b. ☐ Space -- \$_____

c. ☐ Phones -- \$_____

d. ☐ Supplies -- \$_____

34a. Have you ever denied any administrative support to your union representative?

☐ no

☐ yes; 34b. What happened?

35. What administrative support does the union provide your union representative?

36a. Are you or your union representative personally involved in any partnership councils?

☐ no **(IF NO, SKIP TO QUESTION 37)**

☐ yes

36b. Has partnership increased the use of official time?

☐ no

☐ yes; 36c. Will it continue to?

☐ no

☐ yes

37. How often do you involve your union representative in your decision making process?

(Ö ONLY ONE)

☐ frequently (almost daily)

☐ sometimes (1 or 2 times a month)

☐ rarely (1 or 2 times a year)

☐ never

38a. Have you received any training on the use of official time for union-related activities?

☐ no

☐ yes; 38b. Was the training generally:

b. accurate? ☐ no ☐ yes

c. timely? ☐ no ☐ yes

d. helpful? ☐ no ☐ yes

39 a. Do you have an office you can turn to for assistance on the use of official time for union related activities?

☐ no

☐ yes; 39 b. Is their assistance generally:

b. accurate? ☐ no ☐ yes

c. timely? ☐ no ☐ yes

d. helpful? ☐ no ☐ yes

40a. Is official time authorized for any other activities, such as management organizations or other non-union activities?

☐ no

☐ yes; 40b. Which ones?

40c. About how many hours are used per month for each?

41. Is there anything else you would like to share with us about reporting and supervising official time at SSA?

OFFICIAL TIME FORM

AGENCY COMMENTS

MAJOR REPORT CONTRIBUTORS

Office of the Inspector General

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For additional copies of this report, please contact the Office of the Inspector General's Public Affairs Specialist at (410) 966-9135. Refer to Common Identification Number A-02-97-72002.

SSA ORGANIZATIONAL CHART
